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20 **UNITED STATES DISTRICT COURT**  
21 **NORTHERN DISTRICT OF CALIFORNIA**

22 DELPHINE ALLEN, et al.,  
23 Plaintiffs,  
24 v.  
25 CITY OF OAKLAND, et al.,  
26 Defendants.

Master Case No.: C00-4599 TEH (JL)

**STIPULATION AND ORDER RE:  
DELETION OF LANGUAGE IN  
SECTION IV, D, 3 (TASK 21) OF THE  
SETTLEMENT AGREEMENT  
PERTAINING TO PERFORMANCE  
REVIEWS**

[Honorable Thelton E. Henderson]

STIPULATION AND ORDER RE:  
DELETION OF LANGUAGE IN SECTION IV, D, 3  
OF THE SETTLEMENT AGREEMENT

C00-4599 TEH (JL)

**STIPULATION**

IT IS HEREBY STIPULATED by and between the parties that Section IV, D, 3 of the Negotiated Settlement Agreement, which is a provision of Task 21, be deleted as redundant and unnecessary language. This Section is unnecessary because it requires that supervisors and commanders/managers identify patterns of improper behavior of their subordinates, and this requirement is already imposed by Section VII, B (Task 41) and will be assessed under this other provision. Accordingly, the following language is deleted:

~~3. — Supervisors and commanders/managers shall be responsible for identifying patterns of improper behavior of their subordinates. In particular, Bureau of Field Operations sergeants and lieutenants shall scrutinize arrests and uses of force that have been historically associated with police misconduct, including arrests for very small amounts of drugs, arrests pursuant to searches with no underlying offense leading to the search, and Penal Code §§69, 148 and 243(b)(c) arrests with no underlying offense. Failure to identify such patterns and instances of misconduct when the supervisors or commanders/managers knew or reasonably should have known of the misconduct shall constitute grounds for discipline.~~

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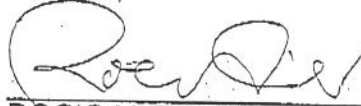
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1 Dated: October 1, 2007

OAKLAND CITY ATTORNEY'S OFFICE

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4 By:

  
ROCIO V. FIERRO, Attorneys for Defendant  
CITY OF OAKLAND

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6 Dated: September 9, 2007

RAINS, LUCIA & WILKINSON, LLP


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9 By:

  
ROCIO LUCIA, Attorney for Interveners  
OAKLAND POLICE OFFICERS ASSOCIATION

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11 Dated: September 20, 2007

LAW OFFICES OF JAMES B. CHANIN

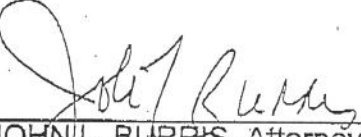
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14 By:

  
JAMES B. CHANIN, Attorney for Plaintiffs

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16 Dated: September 20, 2007

LAW OFFICES OF JOHN BURRIS

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19 By:

  
JOHN L. BURRIS, Attorney for Plaintiffs

ORDER

**IT IS HEREBY ORDERED**, pursuant to the Stipulation of the parties, that Section IV, D, 3 of the Negotiated Settlement Agreement on file in this matter is deleted.

IT IS SO ORDERED.

Dated: 10/23/07

